

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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<b>FRANCIS MALOFIY, as Administrator</b>	<b>:</b>	<b>CIVIL ACTION</b>
<b>for the Estate of EUGENE MALOFIY,</b>	<b>:</b>	
<b>deceased</b>	<b>:</b>	
<b>Plaintiff,</b>	<b>:</b>	
	<b>:</b>	
<b>v.</b>	<b>:</b>	<b>NO. 10 - 2377</b>
	<b>:</b>	
<b>CARDIAC SCIENCE CORPORATION,</b>	<b>:</b>	
<b>TRI-HAMPTON RESCUE SQUAD AND</b>	<b>:</b>	
<b>UPPER SOUTHAMPTON POLICE</b>		
<b>DEPT.</b>		
 <b>Defendants.</b>		
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**ORDER**

**AND NOW**, this 12th day of November, 2010, upon consideration of Defendant, Upper Southampton Police Department's Supplemental Brief Pursuant to the Court's October 22, 2010 Order (Document No. 39, filed November 5, 2010), Plaintiff's Memorandum of Law Addressing Jurisdictional Issues (Document No. 40, filed November 5, 2010), Memorandum of Law, Defendant, Tri-Hampton Rescue Squad, Addressing Jurisdictional Issues (Document No. 41, filed November 5, 2010) and Defendant, Cardiac Science Corporation's, Memorandum of Law Addressing Jurisdictional Issues Per Court Order (Document No. 42, filed November 5, 2010), for the reasons set forth in the Memorandum dated November 12, 2010, it is **ORDERED** that this civil action is **REMANDED** to the Court of Common Pleas of Philadelphia County.

**IT IS FURTHER ORDERED** that the Clerk shall **MARK** the case **CLOSED** for statistical purposes.

**BY THE COURT:**

/s/ Hon. Jan E. DuBois

**JAN E. DUBOIS, J..**